IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVN.APPLN.NO.247 OF 2007

Mr.Adil Abdul Karim Abdul Fatah ..Applicant
Vs.
State of Maharashtra ..Respondent

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Mr.Madhav J.Jamdar advocate for applicant
Mr.V.B.Konde-Deshmukh A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : JUNE 22, 2007

P.C.

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State. Rule. By consent, Rule made returnable forthwith.

2. The applicant has been convicted under Section 14 of the Foreigners Act. By judgment and order dated 4.5.2007, the learned Sessions Judge directed the applicant to suffer S.I. for one year and fine of Rs.1000/-. It is stated that the fine amount is paid by the applicant. Being aggrieved thereby, the present revision is preferred.

3. The applicant is a Sudani national and he came to India on student's VISA. The Embassy of

Republic of Sudan has addressed a letter to the Court wherein it is stated that the Embassy undertakes full responsibility to return the applicant back to Sudan as soon as possible. Hence, it is prayed that the period of imprisonment imposed on the applicant be reduced to the period already undergone by the applicant.

4. The learned Advocate for the applicant states that he is not challenging the conviction but the only prayer is that the sentence of imprisonment be reduced to the period undergone by the applicant. In view of the letter sent by the Embassy, the learned APP states that there is no objection to the period of imprisonment being reduced to the period undergone by the applicant.

5. In this view of the matter, the conviction under Section 14 of the Foreigners Act, is maintained, however, the period of imprisonment is reduced to the period of imprisonment already undergone by the applicant.

6. Rule partly made absolute.

[SMT.V.K.TAHILRAMANI, J.]